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6 **BEFORE THE**  
7 **CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**  
8 **DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. OT 2008-462

11 **GUY KENNETH BROCK**  
12 **10129 Cliffwood Drive**  
13 **La Mesa, CA 91941**

**DEFAULT DECISION AND ORDER**

14 **Occupational Therapist License**  
15 **No. OT 5903**

[Gov. Code, §11520]

16 Respondent.

17 **FINDINGS OF FACT**

18 1. On or about December 27, 2010, Complainant Heather Martin, in her official capacity  
19 as the Executive Officer of the California Board of Occupational Therapy, Department of  
20 Consumer Affairs, filed Accusation No. OT 2008-462 against Guy Kenneth Brock (Respondent)  
21 before the California Board of Occupational Therapy. (Accusation attached as Exhibit A.)

22 2. On or about January 16, 2003, the California Board of Occupational Therapy (Board)  
23 issued Occupational Therapist License No. OT 5903 to Respondent. The Occupational Therapist  
24 License expired on August 31, 2009, and has not been renewed.

25 3. On or about December 27, 2010, Respondent was served by Certified Mail and First  
26 Class Mail copies of the Accusation No. OT 2008-462, Statement to Respondent, Notice of  
27 Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5,  
28 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and

1 Professions Code section 136 and California Code of Regulations, title 16, section 4102, is  
2 required to be reported and maintained with the Board, which was and is:

3 10129 Cliffwood Drive  
4 La Mesa, CA 91941.

5 4. Service of the Accusation was effective as a matter of law under the provisions of  
6 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
7 124.

8 5. Government Code section 11506 states, in pertinent part:

9 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
10 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
11 of the accusation not expressly admitted. Failure to file a notice of defense shall  
12 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
13 may nevertheless grant a hearing.

14 6. Respondent failed to file a Notice of Defense within 15 days after service upon him  
15 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.  
16 OT 2008-462.

17 7. California Government Code section 11520 states, in pertinent part:

18 (a) If the respondent either fails to file a notice of defense or to appear at the  
19 hearing, the agency may take action based upon the respondent's express admissions  
20 or upon other evidence and affidavits may be used as evidence without any notice to  
21 respondent.

22 8. Pursuant to its authority under Government Code section 11520, the Board finds  
23 Respondent is in default. The Board will take action without further hearing and, based on the  
24 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
25 as well as taking official notice of all the investigatory reports, exhibits and statements contained  
26 therein on file at the Board's offices regarding the allegations contained in Accusation  
27 No. OT 2008-462, finds that the charges and allegations in Accusation No. OT 2008-462, are  
28 separately and severally true and correct by clear and convincing evidence.

9. Taking official notice of its own internal records, pursuant to Business and  
Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
and Enforcement is \$5,625.00 as of January 24, 2011.

DETERMINATION OF ISSUES

1  
2       1.     Based on the foregoing findings of fact, Respondent Guy Kenneth Brock has  
3 subjected his Occupational Therapist License No. OT 5903 to discipline.

4       2.     The agency has jurisdiction to adjudicate this case by default.

5       3.     The California Board of Occupational Therapy is authorized to revoke Respondent's  
6 Occupational Therapist License based upon the following violations alleged in the Accusation  
7 which are supported by the evidence contained in the Default Decision Investigatory Evidence  
8 Packet in this case.:

9       a.     Violation of Business and Professions Code sections 490 and 2570.28(e) in that on or  
10 about September 23, 2005, in a criminal proceeding entitled *People of the State of California v.*  
11 *Guy Kenneth Brock*, in the San Diego Superior Court, East County Division, Case No. C251928,  
12 Respondent was convicted on his plea of guilty of violating Vehicle Code section 23152,  
13 subdivision (a), (Driving Under the influence of Alcohol/Drugs), a misdemeanor.

14       b.     Violation of Business and Professions Code sections 2570.28(a) and 2570.29(b)(3), in  
15 that Respondent drove a motor vehicle with a blood alcohol level in excess of 0.08% and was  
16 impaired by alcoholic beverages to an extent or in a manner that was dangerous and injurious to  
17 himself and the public.

18       c.     Violation of Business and Professions Code section 2570.28(a) and 2570.29(c) of the  
19 Code in that on or about September 23, 2005, Respondent was convicted of an alcohol related  
20 crime.

21       d.     Violation of Business and Professions Code sections 490 and 2570.28(e) in that on or  
22 about June 19, 2007, in a criminal proceeding entitled *People v. State of California v. Guy R.*  
23 *Brock*, in the San Diego Superior Court, East County Division, Case No. C271361, Respondent  
24 was convicted on his plea of guilty of violating Penal Code section 243, subdivision (e)(1)  
25 (Battery on a Current or Former Significant Other), a misdemeanor.

26       e.     Violation of Business and Professions Code sections 490 and 2570.28(e) in that on or  
27 about September 15, 2009, in a criminal proceeding entitled *People v. State of California v. Guy*  
28 *R. Brock*, in the San Diego Superior Court, East County Division, Case No. C292085,

1 Respondent was convicted on his plea of guilty of violating Penal Code section 273.5,  
2 subdivision (a) (Corporal Injury to Spouse and/or Roommate), a misdemeanor.

3 f. Violation of Business and Professions Code sections 490 and 2570.28(e) in that on or  
4 about September 15, 2009, in a criminal proceeding entitled *People v. State of California v. Guy*  
5 *R. Brock*, in the San Diego Superior Court, East County Division, Case No. SCE298436,  
6 Respondent was convicted on his plea of guilty of violating Penal Code section 273.5,  
7 subdivision (a) (Corporal Injury to Spouse and/or Roommate), a misdemeanor.

8 g. Violation of Business and Professions Code sections 2570.28, subdivisions (a) and  
9 (o), in that Respondent was convicted of substantially related crimes which would warrant the  
10 denial of an occupational therapist license.

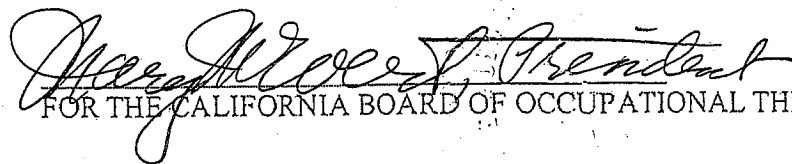
11 ORDER

12 IT IS SO ORDERED that Occupational Therapist License No. OT 5903, heretofore issued  
13 to Respondent Guy Kenneth Brock, is revoked.

14 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
15 written motion requesting that the Decision be vacated and stating the grounds relied on within  
16 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
17 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

18 This Decision shall become effective on March 15, 2011.

19 It is so ORDERED March 7, 2011

20   
21 FOR THE CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

22 DOJ Matter ID:SD2009805249

23 Attachment:  
24 Exhibit A: Accusation

# Exhibit A

Accusation No. OT 2008-462

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 CARL W. SONNE  
Deputy Attorney General  
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6 San Diego, CA 92186-5266  
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*Attorneys for Complainant*

8  
9 BEFORE THE  
10 CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. OT 2008-462

13 GUY KENNETH BROCK  
14 10129 Cliffwood Drive  
La Mesa, CA 91941

ACCUSATION

15 Occupational Therapist License  
16 No. OT 5903

17 Respondent.

18  
19 Complainant alleges:

20 PARTIES

21 1. Heather Martin (Complainant) brings this Accusation solely in her official capacity as  
22 the Executive Officer of the California Board of Occupational Therapy, Department of Consumer  
23 Affairs.

24 2. On or about January 16, 2003, the California Board of Occupational Therapy issued  
25 Occupational Therapist License number OT 5903 to Guy Kenneth Brock (Respondent). The  
26 Occupational Therapist License expired on August 31, 2009, and has not been renewed.

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## JURISDICTION

3. This Accusation is brought before the California Board of Occupational Therapy (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2570.30 of the Code states:

The board shall retain jurisdiction to proceed with any investigation, action or disciplinary proceeding against a license, or to render a decision suspending or revoking a license, regardless of the expiration, lapse, or suspension of the license by operation of law, by order or decision of the board or a court of law, or by the voluntary surrender of a license by the licensee.

## STATUTORY PROVISIONS

5. Section 490 of the Code provides, in pertinent part, that the Board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

6. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

As used in this section, "license" includes "certificate," "permit," "authority," and "registration."

7. Section 2570.28 states:

The board may deny or discipline a licensee for any of the following:

(a) Unprofessional conduct, including, but not limited to, the following:

.....

(d) Making or giving any false statement or information in connection with the application for issuance or renewal of a license.

///

1 (e) Conviction of a crime or of any offense substantially related to the  
2 qualifications, functions, or duties of a licensee, in which event the record of the  
3 conviction shall be conclusive evidence thereof.

4 (o) Committing any act that would be grounds for denial of a license under  
5 Section 480.

6  
7 8. Section 2570.29 states:

8 In addition to other acts constituting unprofessional conduct within the meaning  
9 of this chapter, it is unprofessional conduct for a person licensed under this chapter to  
10 do any of the following:

11 (b) Use to an extent or in a manner dangerous or injurious to himself or herself,  
12 to any other person, or to the public, or that impairs his or her ability to conduct with  
13 safety to the public the practice authorized by his or her license, of any of the  
14 following:

15 (1) A controlled substance as defined in Division 10 (commencing with  
16 Section 11000) of the Health and Safety Code.

17 (2) A dangerous drug or dangerous device as defined in Section 4022.

18 (3) Alcoholic beverages.

19 (c) Be convicted of a criminal offense involving the prescription, consumption,  
20 or self-administration of any of the substances described in subdivisions (a) and (b) of  
21 this section, or the possession of, or falsification of a record pertaining to, the  
22 substances described in subdivision (a) of this section, in which event the record of  
23 the conviction is conclusive evidence thereof.

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REGULATORY PROVISIONS

9. California Code of Regulations, title 16, section 4100 states:

(i) For the purposes of denial, suspension, or revocation of a license, a crime or  
act shall be considered to be substantially related to the qualifications, functions or  
duties of an occupational therapy practitioner, if it evidences present or potential  
unfitness of a licensee to perform the functions authorized by his or her license or in a  
manner inconsistent with the public health, safety, or welfare. Such crimes or acts  
include but are not limited to those involving the following:

///



1 (1) Violating or attempting to violate, directly or indirectly, or assisting or  
2 abetting the violation of or conspiring to violate any provision or term of the  
Occupational Therapy Practice Act.

3 (2) Fiscal dishonesty, theft or larceny.

4 (3) An incident involving controlled substances to the extent that practice is  
5 impaired or a threat to the health or safety of themselves or others.

6 (4) Conviction of a crime involving harassment or stalking (as defined by the  
Penal Code).

7 (5) Conviction of a crime involving lewd conduct, prostitution or solicitation  
8 thereof, or pandering or indecent exposure (as defined by the Penal Code).

9 (6) Assaultive or abusive conduct including, but not limited to, those  
violations listed in subdivision (d) of Penal Code Section 11160.

10 (7) Failure to comply with any mandatory reporting requirements.

11 (8) Any conviction or act subject to an order of registration pursuant to  
12 Section 290 of the Penal Code.

### 13 COSTS

14 F0. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
15 administrative law judge to direct a licensee found to have committed a violation or violations of  
16 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
17 enforcement of the case.

### 18 FIRST CAUSE FOR DISCIPLINE

19  
20 (September 23, 2005 Conviction for Driving Under the Influence on June 29, 2005)

21 11. Respondent has subjected his license to disciplinary action under sections 490 and  
22 2570.28, subdivision (e) of the Code in that Respondent was convicted of a crime that is  
23 substantially related to the qualifications, functions, and duties of an occupational therapist. The  
24 circumstances are as follows:

25 a. On or about September 23, 2005, in a criminal proceeding entitled *People of the*  
26 *State of California v. Guy Kenneth Brock*, in San Diego County Superior Court (East County  
27 Division), case number C251928, Respondent was convicted on his plea of guilty of violating  
28 Vehicle Code section 23152, subdivision (a), driving under the influence of alcohol/drugs, a

1 misdemeanor. A second count of violating Vehicle Code section 23152, subdivision (b), driving  
2 with a blood alcohol content of .08 percent or more, was dismissed pursuant to a plea agreement.

3 b. As a result of the conviction, on or about September 23, 2005, Respondent was  
4 sentenced to five years summary probation, ordered to 180 days in custody (stayed pending  
5 successful completion of probation), complete a six-month First Conviction Program, attend a  
6 MADD victim impact panel, pay fees, fines, and restitution in the amount of \$2,230, and comply  
7 with standard alcohol terms.

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Unprofessional Conduct – Dangerous Use of Alcohol)**

10 12. Respondent has subjected his license to disciplinary action under sections 2570.28,  
11 subdivision (a) and 2570.29, subdivision (b)(3) of the Code in that on or about June 29, 2005, as  
12 described in paragraph 11, above, Respondent drove a motor vehicle with a blood alcohol  
13 concentration in excess of .08% and was impaired by alcoholic beverages to an extent or in a  
14 manner that was dangerous and injurious to himself and the public.

15 **THIRD CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct – Conviction of an Alcohol-Related Criminal Offense)**

17 13. Respondent has subjected his license to disciplinary action under sections 2570.28,  
18 subdivision (a) and 2570.29, subdivision (c) of the Code in that on or about September 23, 2005,  
19 as described in paragraph 11, above, Respondent was convicted of violating Vehicle Code section  
20 23152, subdivision (a), an alcohol-related criminal offense.

21 **FOURTH CAUSE FOR DISCIPLINE**

22 **(June 19, 2007 Criminal Conviction for Battery on April 25, 2007)**

23 14. Respondent has subjected his license to disciplinary action under sections 490 and  
24 2570.28, subdivision (e) of the Code in that Respondent was convicted of a crime that is  
25 substantially related to the qualifications, functions, and duties of an occupational therapist. The  
26 circumstances are as follows:

27 a. On or about June 19, 2007, in a criminal proceeding entitled *People of the State*  
28 *of California v. Guy K. Brock*, in San Diego County Superior Court (East County Division), case

1 number C271361, Respondent was convicted on his plea of guilty of violating Penal Code section  
2 242, battery, a misdemeanor. Sentencing on Count 2, violating Penal Code section 243,  
3 subdivision (e)(1), battery of a current or former significant other, was stayed for three (3) years.

4 b. As a result of the conviction, on or about June 19, 2007, Respondent was  
5 sentenced to three years summary probation (to expire June 18, 2010), and ordered to spend 180  
6 days in custody (stayed pending successful completion of probation), attend and complete a  
7 certified 52-week Domestic Violence Rehabilitation Program (DVRP), complete 10 days in a  
8 Public Service Work Program (stayed pending completion of DVRP), pay a \$674 fine, and  
9 comply with weapons possession restrictions. A Protective Order was issued on behalf of the  
10 victim.

11 c. The facts that led to the conviction were that on or about the early evening of  
12 April 25, 2007, the San Diego County Sheriff's Department was called to investigate a report of  
13 domestic violence at a Spring Valley nail salon. The victim, Respondent's former live-in  
14 girlfriend ("WKT"), told the deputies that she had been attempting to serve Respondent with a  
15 temporary restraining order (TRO) issued a week earlier. Earlier in the day, on April 25th,  
16 sheriff's deputies attempted to serve Respondent with the TRO at his place of employment but  
17 were unable to locate him. While WKT was standing in front of the nail salon, Respondent drove  
18 up, got out of his car, and made verbal threats. Respondent then used an open palm and shoved  
19 WKT in the face, pushing her sunglasses into her face and causing an abrasion. Respondent  
20 drove off at a high rate of speed. WKT attempted to follow him, but could not keep up and  
21 returned to the salon where she called for assistance. The altercation was witnessed by persons  
22 inside the nail salon.

#### 23 FIFTH CAUSE FOR DISCIPLINE

24 (September 15, 2009 Criminal Conviction for Domestic Violence in May 2009)

25 15. Respondent has subjected his license to disciplinary action under sections 490 and  
26 2570.28, subdivision (e) of the Code in that Respondent was convicted of a crime that is  
27 substantially related to the qualifications, functions, and duties of an occupational therapist. The  
28 circumstances are as follows:

1           a.     On or about September 15, 2009, in a criminal proceeding entitled *People of the*  
2 *State of California v. Guy Kenneth Brock*, in San Diego County Superior Court (East County  
3 Division), case number C292085, Respondent was convicted on his plea of guilty of violating  
4 Penal Code section 273.5, subdivision (a), corporal injury to spouse and/or roommate, a  
5 misdemeanor pursuant to Penal Code section 17, subdivision (b)(4). Five additional counts,  
6 including battery, corporal injury, witness tampering, and tampering with a cable television line,  
7 were dismissed as part of a plea bargain.

8           b.     As a result of the conviction, on or about September 15, 2009, Respondent was  
9 sentenced to three years summary probation, and ordered to spend 30 days in jail (with credit for  
10 two days), attend and complete a certified 52-week Domestic Violence Recovery Program  
11 (DVRP), pay a \$714 fine, and comply with weapons possession restrictions and other probation  
12 terms.

13           c.     The facts that led to the conviction were that on or about the afternoon of May  
14 30, 2009, San Diego County Sheriff's deputies responded to the home Respondent had been  
15 sharing with his current girlfriend, DJF, for the previous two months. DJF told the deputies that  
16 she had been assaulted by Respondent; she had visible bruising to both arms, both eyes, and  
17 redness around the neck. DJF stated that Respondent had been assaulting her for the last two  
18 weeks and that the abuse had been escalating every day. DJF told the deputies that there had  
19 been approximately five undocumented domestic violence incidents in the past two months. The  
20 deputies conducted a background check on Respondent and discovered there was an active  
21 restraining order protecting victim WKT.

#### 22                               SIXTH CAUSE FOR DISCIPLINE

23           (September 9, 2010 Criminal Conviction for Domestic Violence on February 14, 2010)

24           16.     Respondent has subjected his license to disciplinary action under sections 490 and  
25 2570.28, subdivision (e) of the Code in that Respondent was convicted of a crime that is  
26 substantially related to the qualifications, functions, and duties of an occupational therapist. The  
27 circumstances are as follows:

28

1           a.     On or about September 9, 2010, in a criminal proceeding entitled *People of the*  
2 *State of California v. Guy Kenneth Brock*, in San Diego County Superior Court (East County  
3 Division), case number SCE298436, Respondent was convicted on his plea of guilty of violating  
4 Penal Code section 273.5, subdivision (a), corporal injury to spouse and/or roommate, a felony.  
5 Two additional counts of resisting arrest (Penal Code section 69) and violation of a protective or  
6 stay-away order (Penal Code section 166, subdivision (c)(1)), were dismissed as part of a plea  
7 bargain. Respondent admitted the Penal Code 273.5, subdivision (e)(1) enhancement.

8           b.     As a result of the conviction, on or about September 9, 2010, Respondent was  
9 ordered to spend 180 days in jail (with credit 76 days), sentenced to three years formal probation,  
10 ordered to abstain from alcohol and obtain professional therapy or counseling if directed by his  
11 probation officer, stay away from victim DJF, pay \$1,614 in fines, fees, and restitution, and  
12 comply with felony probation terms.

13           c.     The facts that led to the conviction were that on or about the evening of  
14 February 14, 2010, San Diego County Sheriff's deputies responded to a report of domestic  
15 violence at the home Respondent shared with DJF. The dispatcher told the deputies that DJF was  
16 hiding in a closet with a knife. When the deputies arrived, they met with DJF who related that  
17 she and Respondent were married seven years earlier, but had divorced and continued to live  
18 together. DJF reported that there had been a long history of domestic violence committed by  
19 Respondent against her, and that there was a restraining order against Respondent but it had not  
20 been served. DJF told the deputies that Respondent gets violent when he doesn't take his  
21 medications. On that day, Respondent kicked DJF in the eye and grabbed her arm forcefully  
22 while she was lying on the bed watching television. Respondent left the room and DJF attempted  
23 to block the bedroom door with a brick. Respondent kicked the door open and DJF was hit with  
24 the brick on her leg, cutting her. Photographs were taken of DJF's injuries including two swollen  
25 black eyes, a bruise on her right bicep, and two cuts on her lower legs. Respondent had to be  
26 chased to be apprehended and had to be Tasered due to his resisting arrest. Respondent  
27 constantly shouted profanities at the deputies throughout the arrest. During his transport to jail,  
28 Respondent stated that next time he would get a fake gun so that law enforcement officers would

1 shoot him. Two days later, DJF contacted the sheriff's department to report that Respondent was  
2 calling her collect from jail, which was a violation of the restraining order. She also wanted to  
3 turn over items she had found in the residence including a scale, a drug cutting instrument, and  
4 two glass pipes. A deputy retrieved the glass pipes from DJF. One pipe contained a white  
5 residue and was commonly used to smoke methamphetamine. The second pipe contained green  
6 leafy residue and is commonly used to smoke marijuana.

#### 7 SEVENTH CAUSE FOR DISCIPLINE

##### 8 (Unprofessional Conduct That Would Warrant Denial of a License)

9 17. Respondent has subjected his license to disciplinary action under sections 2570.28,  
10 subdivisions (a) and (o) of the Code in that on September 23, 2005, Respondent was convicted of  
11 violating Vehicle Code section 23152, subdivision (a), driving under the influence of  
12 alcohol/drugs (paragraph 11, above); on June 19, 2007, Respondent was convicted of violating  
13 Penal Code section 242, battery (paragraph 14, above); on September 15, 2009, Respondent was  
14 convicted of violating Penal Code section 273.5, subdivision (a), corporal injury to spouse and/or  
15 roommate (paragraph 15, above); and on September 9, 2010, Respondent was convicted of  
16 violating Penal Code section 273.5, subdivision (a), felony corporal injury to spouse (paragraph  
17 16, above). Respondent's application for an occupational therapist license would be denied if he  
18 applied with his current conviction record of alcohol abuse and domestic violence.

#### 19 DISCIPLINARY CONSIDERATIONS

20 18. To determine the degree of discipline, if any, to be imposed on Respondent,  
21 Complainant alleges the following:

22 a. On August 25, 2007, Respondent signed his License Renewal Application  
23 under penalty of perjury as true and correct. Respondent checked the box "NO" in response to  
24 the question, "Since you last renewed your license, have you been disciplined by another public  
25 agency or convicted of, or pled guilty or nolo contendere to any violation of any law of any state,  
26 the United States or a foreign country?" On or about June 19, 2007, in a criminal proceeding  
27 entitled *People of the State of California v. Guy K. Brock*, in San Diego County Superior Court  
28

1 (East County Division), case number C271361, Respondent was convicted on his plea of guilty of  
2 violating Penal Code section 242, misdemeanor battery (as detailed in paragraph 14, above.)

3 b. On or about January 14, 2009, the Board served Respondent with Citation  
4 Order number OT 2007-22 for violating Business and Professions Code section 2570.28,  
5 subdivision (d) (making or giving a false statement or information in connection with the  
6 application for issuance or renewal of a license); and section 2570.28, subdivision (h)  
7 (committing any . . . dishonest . . . act that is substantially related to the qualifications, functions,  
8 or duties of a licensee.)

9 c. Citation Order number OT 2007-22 required Respondent to pay a fine in the  
10 amount of \$250.00 no later than February 13, 2009. Respondent requested that he be permitted to  
11 make payments. On February 23, 2009, the Board informed Respondent that he must make  
12 payments of \$50.00 per month, and was warned that his license would not be renewed if he did  
13 not pay the full amount by July 15, 2009. Respondent's license is currently in a delinquent status  
14 for failure to pay the balance of \$150.00 owed on the citation.

15 19. To determine the degree of discipline, if any, to be imposed on Respondent,  
16 Complainant alleges that on or about March 4, 2010, in a criminal proceeding entitled *People of*  
17 *the State of California v. Guy Kenneth Brock*, brought by applicant Heather Martin, Executive  
18 Officer, California State Board of Occupational Therapy, in San Diego County Superior Court  
19 (East County Division), case number CE298436, a judge ordered that Respondent was prohibited  
20 from working as an occupational therapist, either directly or indirectly, while on pretrial "own  
21 recognizance" release or while on bail pending resolution of the criminal matter (as detailed in  
22 paragraph 16, above), or any California State Board of Occupational Therapy disciplinary  
23 proceeding, whichever concludes last.

24 PRAYER

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
26 and that following the hearing, the California Board of Occupational Therapy issue a decision:

27 1. Revoking or suspending Occupational Therapist License Number OT 5903, issued to  
28 Guy Kenneth Brock;

1           2.     Ordering Guy Kenneth Brock to pay the California Board of Occupational Therapy  
2 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
3 Professions Code section 125.3;

4           3.     Taking such other and further action as deemed necessary and proper.  
5  
6

7  
8 DATED:

27 December 2010



HEATHER MARTIN  
Executive Officer  
California Board of Occupational Therapy  
Department of Consumer Affairs  
State of California  
*Complainant*

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